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6 Attorneys for Plaintiffs/Counter-Defendants, LARGO CONCRETE, INC. and N.M.N. CONSTRUCTION, INC.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

10 LARGO CONCRETE, INC., a California  
11 Corporation; N.M.N. CONSTRUCTION,  
INC., a California Corporation.

Case No. C07-04651 CRB (ADR)  
*The Hon. Charles R. Breyer*

**AMENDED STIPULATION AND  
NOTICE OF:**

- 1. CONTINUED HEARING ON  
LIBERTY MUTUAL'S MOTION  
TO DISQUALIFY ROXBOROUGH,  
POMERANCE, & NYE, LLP;**

**Plaintiffs,**

14 | P a g e

LIBERTY MUTUAL FIRE  
INSURANCE COMPANY, a  
Massachusetts Corporation, and DOES 1  
through 100, inclusive.

Current Hearing Date: 12/14/07  
Proposed New Hearing Date: 12/21/07

**Defendants.**

**20 | AND RELATED COUNTERCLAIM**

Complaint filed: September 10, 2007

[Pursuant to Civil L.R. 7-7]

Pursuant to *Civil Local Rules* 7-7 and 7-12 Plaintiffs/Counter-Defendants  
LARGO CONCRETE, INC. and N.M.N. CONSTRUCTION, INC (“Largo”) and  
Defendant/Counter-Claimant LIBERTY MUTUAL FIRE INSURANCE COMPANY  
 (“Liberty”), by and through their counsel, this Stipulation is entered into with respect to  
the following facts:

1                   B.     The date upon which Liberty must file and serve their Reply Brief to  
2 Largo's Opposition is extended to December 14, 2007.  
3

4                   IT IS SO STIPULATED.

5 DATED: November 26, 2007

ROXBOROUGH, POMERANCE & NYE LLP

6  
7 By:   
8 NICHOLAS P. ROXBOROUGH, ESQ.  
9 MICHAEL L. PHILLIPS, ESQ.  
10 Attorneys for Plaintiffs/Counter-Defendants,  
11 LARGO CONCRETE, INC. and N.M.N.  
12 CONSTRUCTION, Inc.

13 DATED: November 26, 2007

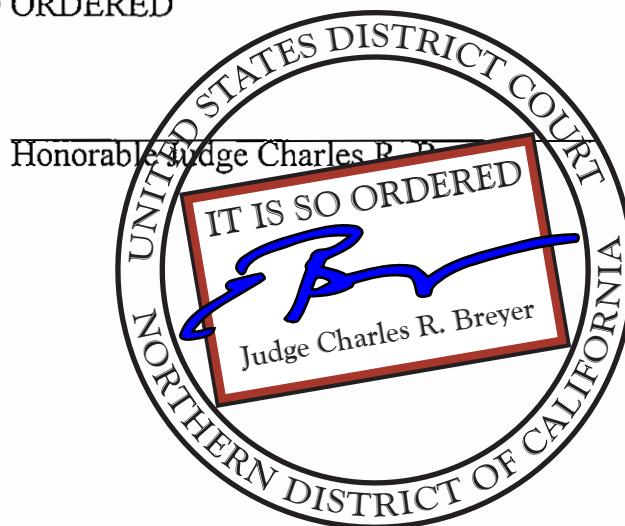
SHEPPARD, MULLIN, RICHTER &  
HAMPTON LLP

14 By:   
15 FRANK FALZETTA  
16 Attorneys for Defendant/Counter-Claimant  
17 LIBERTY MUTUAL FIRE INSURANCE  
18 COMPANY

19                   **ORDER**

20 PURSUANT TO STIPULATION, IT IS SO ORDERED

21 DATED: November 27, 2007



1        WHEREAS, this Stipulation will replace the Stipulation filed with the Court by  
2 the parties on November 20, 2007 which erroneously contained a reference to the Initial  
3 Case Management Conference which has been continued from December 14, 2007 to  
4 January 11, 2008.

5        WHEREAS, on October 23, 2007, Liberty filed a Motion to Disqualify  
6 Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

7        WHEREAS, Liberty's motion is currently set for hearing before this Court on  
8 December 14, 2007;

9        WHEREAS, the parties are working together to conduct the depositions of  
10 individuals providing evidence regarding the issues raised in Liberty's Motion to  
11 Disqualify Roxborough, Pomerance & Nye, LLP from representing Largo in this matter;

12        WHEREAS, Lisa Kralik Hansen, an individual providing a declaration in support  
13 of Liberty's motion, is unavailable to appear for deposition until the week of November  
14 26, 2007;

15        WHEREAS, Largo desires to take the deposition of Lisa Kralik Hansen prior to  
16 filing their Opposition to Liberty's Motion to Disqualify Roxborough, Pomerance &  
17 Nye, LLP from representing Largo in this matter;

18        WHEREAS, Liberty may need to depose the individuals who provide declarations  
19 in support of Largo's Opposition to Liberty Motion to Disqualify, prior to the filing of its  
20 Reply Brief.

21  
22        For these reasons, IT IS HEREBY STIPULATED by the parties, through their  
23 respective counsel of record, that the Court enter an Order as follows:

24            A.        The hearing on Liberty's Motion to Disqualify Roxborough,  
25 Pomerance, & Nye, LLP currently scheduled for December 14, 2007 at 10:00 a.m. in  
26 Courtroom 8 of this Court is continued to December 21, 2007 at 10:00 a.m. in  
27 Courtroom 8 of this Court.